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2 UNITED STATES DISTRICT COURT  
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4 DISTRICT OF NEVADA  
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6 JAMAL DAMON HENDRIX,  
7  
8 Plaintiff,

9 vs.

10 STATE OF NEVADA, *et al.*,  
11 Defendants.  
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Case No.: 3:15-CV-00336-RCJ-WGC

ORDER

13 Before the Court is the Report and Recommendation of United States Magistrate  
14 Judge (ECF No. 72<sup>1</sup>) entered on September 18, 2018, recommending that the Court  
15 grant Defendants' Motion for Summary Judgment. On October 15, 2018, Plaintiff filed  
16 Objections to Magistrate Judge's Report and Recommendation (ECF No. 75).  
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18 The Court has conducted its *de novo* review in this case, has fully considered the  
19 objections of the Plaintiff, the pleadings and memoranda of the parties and other  
20 relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.  
21 The Court determines that the Magistrate Judge's Report and Recommendation (ECF  
22 No. 72) entered on September 18, 2018 should be ADOPTED and ACCEPTED.  
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24 IT IS HEREBY ORDERED that Count I is DISMISSED WITHOUT PREJUDICE.

25 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
26 respect to the retaliation claim asserted in Count III is GRANTED.  
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<sup>1</sup> Refers to Court's docket number.

1 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
2 respect to the Fourth Amendment claim asserted in Count III is GRANTED.

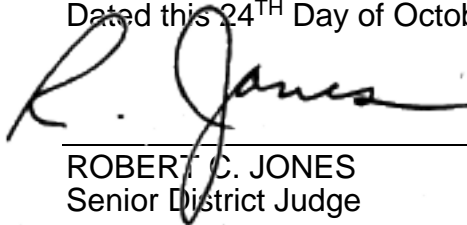
3 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
4 respect to the Eighth Amendment claims in Counts IV and V are GRANTED.  
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6 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
7 respect to the First Amendment retaliation claim in Count V on the basis that Plaintiff  
8 failed to exhaust his administrative remedies is GRANTED.

9 IT IS FURTHER ORDERED that Defendants' motion for summary judgment as to  
10 HEALER, SANDOVAL, BAKER, FOSTER, COX, MCDANIEL AND SISCO in Count VI  
11 is GRANTED.  
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13 IT IS SO ORDERED.  
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15 Dated this 24<sup>TH</sup> Day of October, 2018.

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17 ROBERT C. JONES  
18 Senior District Judge  
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